PLANNING MANITOBA'S CAPITAL REGION

NEXT STEPS

Manitoba Intergovernmental Affairs
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PLANNING MANITOBA'S CAPITAL REGION: *NEXT STEPS*

EXECUTIVE SUMMARY

The Government of Manitoba has a strong commitment to the Capital Region. The Province has responsibility for land management, municipal government, resources and the environment. It also contributes financially to infrastructure, educational and health services, some municipal services, and a number of economic development initiatives. Ensuring a safe, healthy, prosperous and efficient Capital Region is important to Manitoba as a whole and is a significant Provincial interest.

Recent events regarding water quality illustrate that the wise use of our water resources is also critical. This was recently highlighted by the tragic events in Walkerton, Ontario, but water quality issues also affect communities and individual residences in Manitoba. The Province concurs with the Drinking Water Advisory Committee, that a high level of water quality should be a principal consideration in any discussions of development planning. The Province is concerned about the reliance on private wells and septic fields in the region. Also, the significant issues associated with waste management, drainage and flooding have been highlighted by many citizens and municipalities and must be an important part of regional planning discussions.

There has been an uneven pattern of development over the last decade which does not foster smart growth, nor the best and most efficient use of available resources. The City of Winnipeg is the core of the Capital Region and contains over half of Manitoba's population. It has experienced slow growth over the last decade or more. At the same time, almost all municipalities in the Capital Region outside Winnipeg have experienced growth and tax base increases. The Province and municipalities believe that making the most effective use of existing infrastructure and resources is of critical importance.

In the broader planning context, there have been concerns expressed that Manitoba's *Provincial Land Use Policies* require strengthening, that their application needs to be broadened, and that they must be applied diligently and consistently.

Some of the issues associated with development in the Capital Region have occurred because planning authorities (municipalities, planning districts and the Province) have not always considered development in the larger regional context. Many issues are inter-municipal in nature (transportation, drainage, environment, resources, etc.), and often development in one municipality impacts on another. It makes the most sense to review land development with a regional perspective in mind.

For a city and its surrounding region to grow together, there must be a recognition of equity issues across various boundaries. Growing inequalities, whether they are reflected in levels of education, income, basic services, or matters of health and safety, do not foster consistent prosperity. That is why the Province began the process of strengthening Winnipeg and the region with a new approach to revitalizing Winnipeg's inner city. The *Neighbourhoods Alive!* community development programs have begun the process of rebuilding some inner city neighbourhoods, through education, recreation, and support for families and community organizations. This will be a long process, but the community-based plans that will be developed now in the inner city will not only enable strong neighbourhoods to be built over time, but will be a part of a Capital Region which speaks a common language of equity and growth.

The Province's Framework for Action - It is the Government's view and the view of many municipalities, that Provincial leadership and local co-operation are needed to effectively address this broad range of issues challenging the region.

Accordingly and in consultation with municipalities and the public, the Province will immediately begin the process of developing planning policies that will better address the issues facing the Capital Region. These policies are expected to be more detailed than the current *Provincial Land Use Policies,* forming in effect, a strategic regional policy plan. This plan will provide guidance and context for the more detailed municipal or planning district development plans. Eventually, municipal and planning district development plans will be consistent with this new regional planning framework.

This regional planning exercise will facilitate a more efficient use of the region's finite resources. It will enable the Province and municipalities to more effectively improve the health and quality of life of a significant proportion of Manitoba's citizens.

More specifically, the following 10-point action plan summarizes the next steps:

1. The Province will take the lead in developing planning policies that better address the growth management issues facing the Capital Region .

2. The Province will appoint a Regional Planning Advisory Committee (RPAC) to assist in stimulating public discussion and to provide advice on regional planning policies. RPAC membership will represent regional interests. Public participation in the process will be encouraged.

3. The Province will dedicate professional planning staff whose responsibilities will be to deal specifically with the Capital Region.

4. The Province will diligently apply *The Provincial Land Use Policies* and begin a review process with a view towards enhancing the Policies and extending their application province-wide.

5. The Province will undertake a review of the statutes governing planning in Manitoba with a view towards modernizing and streamlining legislation.

6. The Province will develop and maintain common databases containing information on a wide range of topics related to the Capital Region and will provide public access to the information. The Province will also undertake research to provide additional data where necessary to assist in defining regional issues and their scope, and to indicate potential solutions. Such research may cover areas such as: groundwater / water quality, septic fields, lot availability / demand, updated population analysis, and developmental cost benefit analyses.

7. The Province will give priority to maximizing the use of existing infrastructure before approving developments which require new infrastructure. The Province will also review its current approval processes and regulatory requirements for wells and septic fields, with a view towards strengthening them. The Province expects to implement the Drinking Water Advisory Committee's recommendations in this area.

8. The Province will work with the municipalities in the Capital Region towards developing tax-sharing models that are mutually beneficial.

9. The Province will use the existing Capital Region boundaries in initiating the regional planning process (see map at Appendix B). The Regional Planning Advisory Committee will also solicit public views respecting the boundaries that best meet the region's planning objectives and make recommendations to the Province.

10. As a part of the regional planning process and in consultation with municipalities and the Regional Planning Advisory Committee, the Manitoba Government will develop strategies to resolve inter-municipal disputes.

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PLANNING MANITOBA'S CAPITAL REGION

NEXT STEPS

INTRODUCTION

In the last few years the Province has received a number of reports and submissions on implementing a more effective planning and land use development framework in Manitoba's Capital Region. Most recently, the Government received the Capital Region Review Panel's Final Report in December 1999.

This Paper is in part the Province's response to that Report, but it is also intended to address other related submissions and issues. Following is a strategic response together with proposed next steps to address these issues and to introduce concepts of a new regional planning framework for the Capital Region. While this framework is intended to apply only to the Capital Region, similar models may eventually be applicable to other areas of Manitoba.

REPORTS AND ISSUES AFFECTING THE REGION

The Manitoba Government has reviewed the Capital Region Review Panel's Final Report. It has done so in light of:

- The 1996 Capital Region Strategy, developed in partnership with the public, the region's 16 municipalities and the Manitoba Round Table on Environment and Economy;
- Public submissions during the Capital Region Review Panel's public consultation process;
- Public comments on the Panel's report;
- Emerging issues such as water quality, infrastructure, and livestock production;
- The final Report and Recommendations from the Consultation on Sustainable Development Implementation (COSDI) Core Group (June 1999); and
- The Drinking Water Advisory Committee Report (November 2000).

These reports and public submissions along with more recent events (described briefly below) have helped shape the Government of Manitoba's view on the next steps in the Capital Region planning process.

CAPITAL REGION STRATEGY - In May 1996, the Province of Manitoba released the Capital Region Strategy. Developed in partnership with the public, the region's 16 municipalities and the Manitoba Round Table on Environment and Economy, this Strategy identified five policy areas (Partnerships, Settlement, Economy, Environment and Resources, and Human Resources), 30 policies, and 200 actions to guide regional decision-making. It was prepared as part of Manitoba's overall Provincial Sustainable Development Strategy.

CAPITAL REGION REVIEW PANEL FINAL REPORT - In June 1998, the Manitoba Government agreed to a recommendation of the Capital Region Committee of elected officials to establish an independent panel to seek community and municipal input, and *"to undertake a review and make recommendations to the government respecting the effectiveness of the existing legislative, policy and procedural framework guiding land use planning and development, and the provision of services in the municipalities in the Capital Region"*. The Capital Region Review Panel delivered its Final Report in December 1999. Subsequently, the Manitoba Government invited public comment on the Panel's report.

The Capital Region Review Panel reported on several weaknesses in the existing legislative, policy and procedural framework guiding land use planning and development, and the provision of services among Capital Region municipalities. The Panel's main recommendation concluded that much of the solution to the region's problems lay in enacting a statute which would allow municipalities to join together to solve problems. The Panel stated that such an association of municipalities should be voluntary and the Province of Manitoba should play mainly a supportive role. It also made four other recommendations on: statutory consistency, Provincial departmental organization and administration, service-based budgeting and full cost accounting, and municipal costs and revenues.

PUBLIC COMMENTS - Most of the responses received by the Capital Region Review Panel during its public review process, as well as the majority of responses received by the Province on the Report, expressed strong support for some form of regional planning. Respondents also expressed concern with the Panel's proposed exclusion of the Manitoba Government from regional structures. The need for Provincial leadership was a common theme in the submissions. Comments were also received advocating stronger application of *The Provincial Land Use Polices.*

COSDI - The Consultation on Sustainable Development Implementation (COSDI) was launched in 1998 as a multi-stakeholder consultation initiative, *"to consider and make recommendations to government on how Manitoba can best implement Sustainable Development Principles and Guidelines into decision-making, including environmental management, licensing, land use planning, and regulatory processes"*.

The COSDI Final Report (June 1999) made 60 recommendations in eight subject areas, including: large area planning, based partially on a consensual multi-stakeholder process, and mandatory municipal planning consistent with the large area plan. The Province accepted the report in June of 2000 and announced its intention to implement its recommendations as a part of its Sustainable Development Strategy.

THE DRINKING WATER ADVISORY COMMITTEE REPORT - The Drinking Water Advisory Committee Report issued by the Office of the Chief Medical Officer of Health on November 6, 2000, made 29 recommendations to the Province including: a single drinking water coordinating agency, better private well testing, better regulations on semi-public and public water systems, enhanced education, communication and standards in all aspects of Manitoba's drinking water system, and enhanced resources to make the overall system work better.

Recent events regarding water quality illustrate that the wise use of our water resources is a critical public issue. Concerns about water in the Capital Region suggest a need to rethink past development patterns. Some of these problems can be attributed to the amount of growth occurring in the region using private wells and septic fields. Also, significant related issues such as waste management, drainage and flooding must be taken into account in these discussions.

OTHER CONSIDERATIONS - Municipalities are facing increasing challenges in funding infrastructure renewal, highlighting the urgent need to make better land use decisions which will minimize the need to extend that servicing base. Urban centres in particular have pointed to the growing infrastructure deficit and the need for more strategic action on the part of all governments to address this issue.

While the City of Winnipeg has about 60% of Manitoba's population, it has experienced slow growth over the last decade or more. At the same time, some municipalities in the Capital Region have grown quite rapidly. For Winnipeg, the problem has been compounded by the need to maintain old infrastructure and by the decline of some housing stock, particularly in the inner city.

While some peripheral development may not be problematic and in some cases may even be desirable, stronger planning measures may be needed to encourage better use of the region's existing land, resources and infrastructure.

THE PROVINCIAL PERSPECTIVE - The Manitoba Government concurs that the regional issues cited by the Capital Region Review Panel merit attention. It also agrees that municipalities have an extremely important contribution to make in strengthening the region. However, the Panel's conclusion that *"primary responsibility for advancement of regional thinking is best left to the voluntary initiative of the municipal governments within the Region"* (p. 74), is considered by the Province to be only one part of the solution. Also key will be forging strong and stable partnerships among governments, while also instituting an effective, policy and decision-making framework.

In light of the issues noted above, the Government of Manitoba believes maximizing the use of existing public infrastructure and ensuring a safe water supply are of critical importance. Efficient use of existing infrastructure will assist in ensuring safe, healthy and economically sustainable growth within the region.

The Province has constitutional responsibilities for land management, municipalities, resources and the environment. It also contributes financially to infrastructure, educational and health services, certain municipal services, and a number of economic development initiatives. Ensuring a safe, healthy, prosperous and efficient Capital Region is important to Manitoba as a whole and is a significant Provincial interest. The Manitoba Government also believes that it is vital to ensure that Manitoba's capital city, Winnipeg, must be strong and vibrant and should grow in harmony with its neighbouring municipalities.

The Manitoba Government believes that Provincial leadership is required to address inter-jurisdictional issues and to ensure that Manitoba's Capital Region is competitive with other Canadian urban-centered regions like Edmonton, Calgary and Ottawa. The Manitoba Government also believes that effective land use policies for the Capital Region will support and encourage a strong region, a strong capital city and a strong downtown Winnipeg. Dealing co-operatively on regional issues will provide a basis for citizens and leaders to work together towards a common vision. Through a strengthened regional partnership, new directions can be defined which will enhance the region's future prospects and meet the priorities of its citizens.

This *Next Steps* paper has been organized into three broad areas, under which the major issues affecting the Capital Region are discussed:

- **Effective Regional Planning**
- **Planning For A Sustainable Region**
- **Regional Co-operation**

The Government of Manitoba believes that the ten Actions described in the following pages will be useful in moving towards co-operative solutions in the region.

MANITOBA'S VISION FOR THE CAPITAL REGION

The Manitoba Government's vision for the Capital Region is one of a safe, healthy, efficient and prosperous region with a strong core city, where the public, governments and organizations work together, enhancing community development opportunities, effectively managing and protecting resources, and providing citizens with a high quality of life.

A. EFFECTIVE REGIONAL PLANNING

A.1 Regional Policy Plan and Regional Planning Advisory Committee

The Capital Region Review Panel stated that *"... the efforts by individual municipalities or planning districts to address issues of a Regional nature cannot, in itself, ensure a sound Regional perspective on such issues"* (page 47). The Panel further noted that a regional plan should not consolidate existing plans nor replace them, but should focus on *"development policy or activity which entails potentially significant impacts beyond the boundaries of the individual municipalities or planning districts"* (page 48). The Manitoba Government agrees with these statements.

The Province and many municipalities believe that Provincial leadership is needed in order to effectively address the broad range of issues which cross municipal boundaries.

Low density development on the fringes of the region's urban centres (both within and outside urban centres' boundaries), often referred to as sprawl, is an example of one of these regional cross-jurisdictional issues. Some believe it is linked with a consequent decline in the central part of Winnipeg and deterioration of existing public infrastructure in the City (as well as other urban centres). Although previous Manitoba reports have not identified the specific causal links between sprawl and inner city decline, the Province nevertheless recognizes that both issues need to be addressed if the region as a whole is to prosper and grow.

The Province has thus launched *Neighbourhoods Alive!* and joined as a partner with Canada and Winnipeg in the Winnipeg Housing and Homelessness Initiative. These programs are aimed at revitalizing Winnipeg neighbourhoods and housing most in need.

A number of other regional issues have been identified by the public. The Province agrees that these also need to be addressed. Some of these issues relate to:

- protecting vital resources such as potable water and soil from pollution or excess use;
- urban infill development;
- the efficient use and maintenance of existing public infrastructure;
- financial and service efficiencies;
- hazards and nuisance, particularly across boundaries;
- protection of agricultural land and resources; and
- the inappropriate location of potentially incompatible uses.

The Government of Manitoba recognizes the interdependency of communities in the region and believes that large area or regional planning will offer an effective means of managing settlement, servicing, environmental, resource and economic issues. It also provides an effective means for community participation in setting regional priorities and adopting plans. This concept was also highlighted by COSDI.

Local planning will need to be better coordinated and/or integrated with regional planning over time. As well, processes will need to be developed which will ensure consistency of municipal and district plans with a regional Policy Plan.

Some of the problems associated with development in the Capital Region have occurred because planning authorities (municipalities, planning districts and the Province) have not always reviewed development in the larger regional context. Many issues are inter-municipal in nature (e.g. transportation, drainage, environmental issues, etc.), and often development in one municipality impacts on another. There is a need for the Province to review land development with a regional perspective in mind and with the co-operation of all municipalities.

In consultation with municipalities, planning districts and the public, the Province will begin the process of developing a set of planning policies that will apply specifically to the Capital Region. A Regional Planning Advisory Committee will be appointed to assist in stimulating public discussion and to advise the Province.

The policies developed by the Province will address growth in the entire region and are expected to be more detailed than the current *Provincial Land Use Policies.* In effect, they will become a strategic regional policy plan providing policy guidance for the more detailed municipal or planning district development plans. (See Appendix A for a brief summary of this new planning framework)

Actions

1. **The Province will take the lead in developing planning policies that better address the growth management issues facing the Capital Region.**

2. **The Province will appoint a Regional Planning Advisory Committee (RPAC) to assist in stimulating public discussion and to provide advice on regional planning policies. RPAC membership will represent regional interests. Public participation in the process will be encouraged.**

3. **The Province will dedicate professional planning staff whose responsibilities will be to deal specifically with the Capital Region.**

A.2 Provincial Land Use Policies

The Capital Region Review Panel recommended that *"...the Province review the regional implications of the Provincial Land Use Policies, and encourage their application . . ."* (page 74). There have also been numerous other suggestions for stronger application of the Policies from the public and non-government organizations.

The Provincial Land Use Policies (PLUPs) were originally developed in the mid-1970s. They have been used to guide the review of municipal and district development plans in Manitoba (outside of Winnipeg) since 1980, when they were adopted as a regulation under *The Planning Act*. The PLUPs were last reviewed and amended in 1994. (See Appendix C for a brief history of the planning framework affecting the region.)

Currently, the PLUPs provide only general guidance for the development of land in large urban centres. Planning at the regional level will require greater emphasis on specific policies for both urban and rural municipalities. There have also been concerns expressed that *The Provincial Land Use Policies* require strengthening, that their application needs to be broadened, and that they need be applied diligently and perhaps more consistently.

Actions

4. **The Province will diligently apply *The Provincial Land Use Policies* and begin a review process with a view towards enhancing the Policies and extending their application province-wide.**

A.3 Planning Legislation

The Capital Region Review Panel noted a number of inconsistencies in legislation governing the City of Winnipeg (*The City of Winnipeg Act*) and other municipalities in Manitoba (*The Planning Act* and *The Municipal Act*). These differences have evolved over time as the Manitoba Government has granted Winnipeg different powers due to its size and extensive administrative structure, while at the same time responding to the different needs of other Manitoba municipalities. (See Appendix C for a brief history of the planning framework affecting the region.)

The Panel recommended that, *"wherever relevant, all provincial legislation, policy and procedures treat all municipalities within the Capital Region consistently"* (page 74). The Capital Region Strategy (Policy 1.3) also recommended that applicable laws, regulations and policies be better integrated and coordinated. Integrated planning laws could also enhance the Province's community planning and economic development framework, and would be consistent with the recommendations of COSDI.

Actions

5. **The Province will undertake a review of the statutes governing planning in Manitoba with a view towards modernizing and streamlining legislation.**

A.4 Regional Information

The Capital Region Review Panel reported that, *"Perhaps as a result of fiscal constraint, related data collection and research functions receive little attention at either the municipal or provincial level"* (page 46). COSDI also noted the importance of easily accessible information for effective public participation. To achieve many of the regional objectives, comprehensive and current information is needed to produce effective plans, policies and programs. It is also vital to have co-operative policies developed from common databases available to citizens and planning authorities.

The Province believes that research is required in a number of areas in order to clearly define the nature of the problems, as well as to assist in solving them. Potential study areas include: wells / groundwater, septic fields and waste disposal, lot availability / demand, updated population analysis, and developmental cost benefit analysis.

Actions

6. **The Province will develop and maintain common databases containing information on a wide range of topics related to the Capital Region and will provide public access to the information. The Province will also undertake research to provide additional data where necessary to assist in defining regional issues and their scope, and to indicate potential solutions. Such research may cover areas such as: groundwater / water quality, septic fields, lot availability / demand, updated population analysis, and developmental cost benefit analyses.**

B. PLANNING FOR A SUSTAINABLE REGION

B.1 Safe, Efficient and Sustainable Services

It is recognized that maintaining the public infrastructure that is already in existence will pose major challenges in the upcoming years without significantly greater amounts of additional capital funding. The Province and municipalities believe that maximizing the use of existing infrastructure and resources is of critical importance. As well, efficient use of existing infrastructure will assist in ensuring safe, healthy and economically sustainable growth within the region.

Furthermore, recent events regarding water quality in communities and individual residences illustrate that the wise use of our water resources is of prime importance. The Province agrees with the Drinking Water Advisory Committee Report, in that it believes that ensuring a high level of water quality is of paramount importance in any discussions of development planning. The Province is concerned about the amount of residential development in the region over the last number of years relying on private wells and septic fields. As well, issues associated with waste management, drainage and flooding must be taken into account in these discussions.

While the City of Winnipeg has experienced a declining tax base, many other municipalities in the Capital Region have experienced growth and tax base increases. Much of this growth would not have occurred if not for the presence of the city. That growth also impacts on Winnipeg's infrastructure and services and yet the city does not benefit proportionately. The Government of Manitoba believes that the region must grow in harmony and that this will require mutual support and co-operation.

Similar situations exist in other jurisdictions, where co-operative models such as tax-sharing have been used with some success. The Capital Region Review Panel also suggested that "*an arrangement for sharing costs and revenues might in some cases be a logical outcome.*"

The Capital Region Review Panel recommended voluntary municipal associations to address this challenge. In some instances, voluntary municipal approaches have worked well. However, in instances involving land use, development and environmental management, the impacts on resources and jurisdictions often cross municipal boundaries and are more difficult. These impacts can be significant. Thus, more concerted efforts and Provincial leadership may be necessary to achieve the full benefits of a regional partnership, and the efficient and safe use of our shared resources.

Actions

7. **The Province will give priority to maximizing the use of existing infrastructure before approving developments which require new infrastructure. The Province will also review its current approval processes and regulatory requirements for wells and septic fields, with a view towards strengthening them. The Province expects to implement the Drinking Water Advisory Committee's recommendations in this area.**

8. **The Province will work with the municipalities in the Capital Region towards developing tax-sharing models that are mutually beneficial.**

C. REGIONAL CO-OPERATION

C.1 Boundaries

When the Capital Region Committee of provincial and municipal elected officials was established in 1989 (originally called the Winnipeg Region Committee), boundaries were based on what was defined at the time, as Winnipeg's commutershed, adjusted to take into account municipal boundaries.

The existing Capital Region as defined by the Government of Manitoba consists of 16 municipalities:

- Cartier, RM
- East St. Paul, RM
- Headingley, RM
- Macdonald, RM
- Ritchot, RM
- Rockwood, RM
- Rosser, RM
- Selkirk, City
- Springfield, RM
- St. Andrews, RM
- St. Clements, RM
- St. François Xavier, RM
- Stonewall, Town
- Taché, RM
- West St. Paul, RM, and
- Winnipeg, City.

The Province intends to retain these Capital Region boundaries for the time being (See attached map, Appendix B). However, the Regional Planning Advisory Committee, municipalities or the public may make recommendations to the Province to adjust these boundaries to better suit planning objectives in the region.

Actions

9. **The Province will use the existing Capital Region boundaries in initiating the regional planning process (see map at Appendix B). The Regional Planning Advisory Committee will also solicit public views respecting the boundaries that best meet the region's planning objectives and make recommendations to the Province.**

C.2 Inter-Municipal Mediation

Most inter-municipal disputes arise from the financial impacts associated with land use conflicts, and from disputes related to threats to resources, service cost sharing and uncoordinated development.

The Capital Region Review Panel noted in their report that current mediation mechanisms have not been wholly effective (page 45). The Municipal Board is a quasi-judicial body which is limited in its mandate, particularly with respect to Winnipeg. Planning districts tend to include only two or three municipalities. From time to time, Manitoba Intergovernmental Affairs has made its services available to mediate inter-municipal disputes, with some degree of success.

A better approach to mediation is needed. This approach should apply broadly, focus on negotiation and mutual agreement rather than on imposing solutions, and be effective where jurisdictions are unable to negotiate a solution on their own but are prepared to accept the participation of an independent third party. The Manitoba Government believes that locally developed approaches to mediation offer the greatest prospect of positive outcomes. When requested, the Government can also assist in mediating issues among local authorities.

Actions

10. **As a part of the regional planning process and in consultation with municipalities and the Regional Planning Advisory Committee, the Manitoba Government will develop strategies to resolve inter-municipal disputes.**

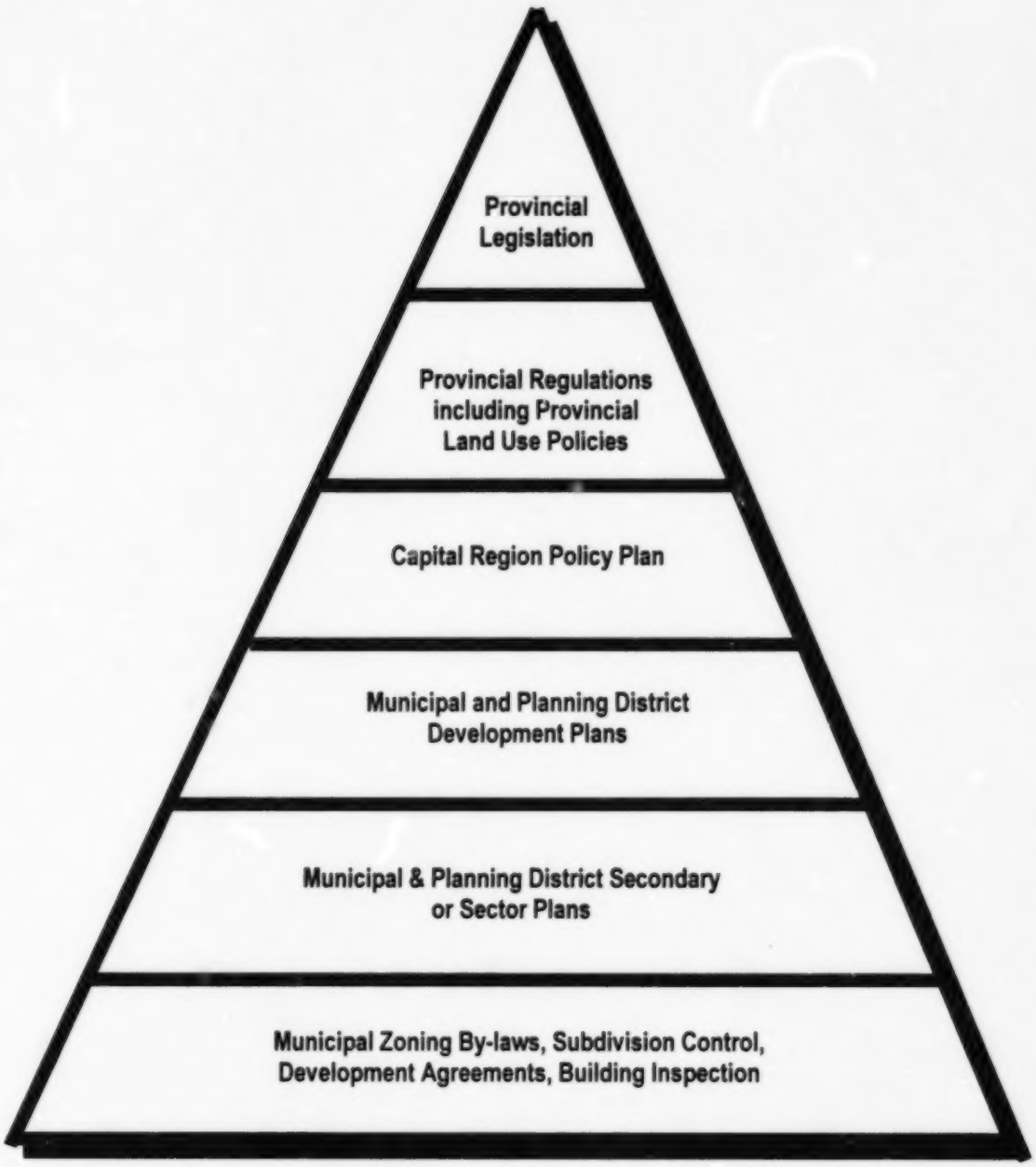
C.3 Delivery of Provincial Public Services

The Capital Region Review Panel observed that the recent consolidation of the former departments of Urban Affairs and Rural Development should facilitate dialogue between the Province and the municipalities within the Capital Region. To strengthen this linkage further, the Panel proposed that a departmental unit be assigned responsibility for regional research, analysis and program delivery. The Province concurs with this recommendation. As stated above, the Department of Intergovernmental Affairs will dedicate professional planning staff to the Capital Region and will also assist in facilitating the regional delivery of services and mediation of issues among local authorities.

APPENDIX A

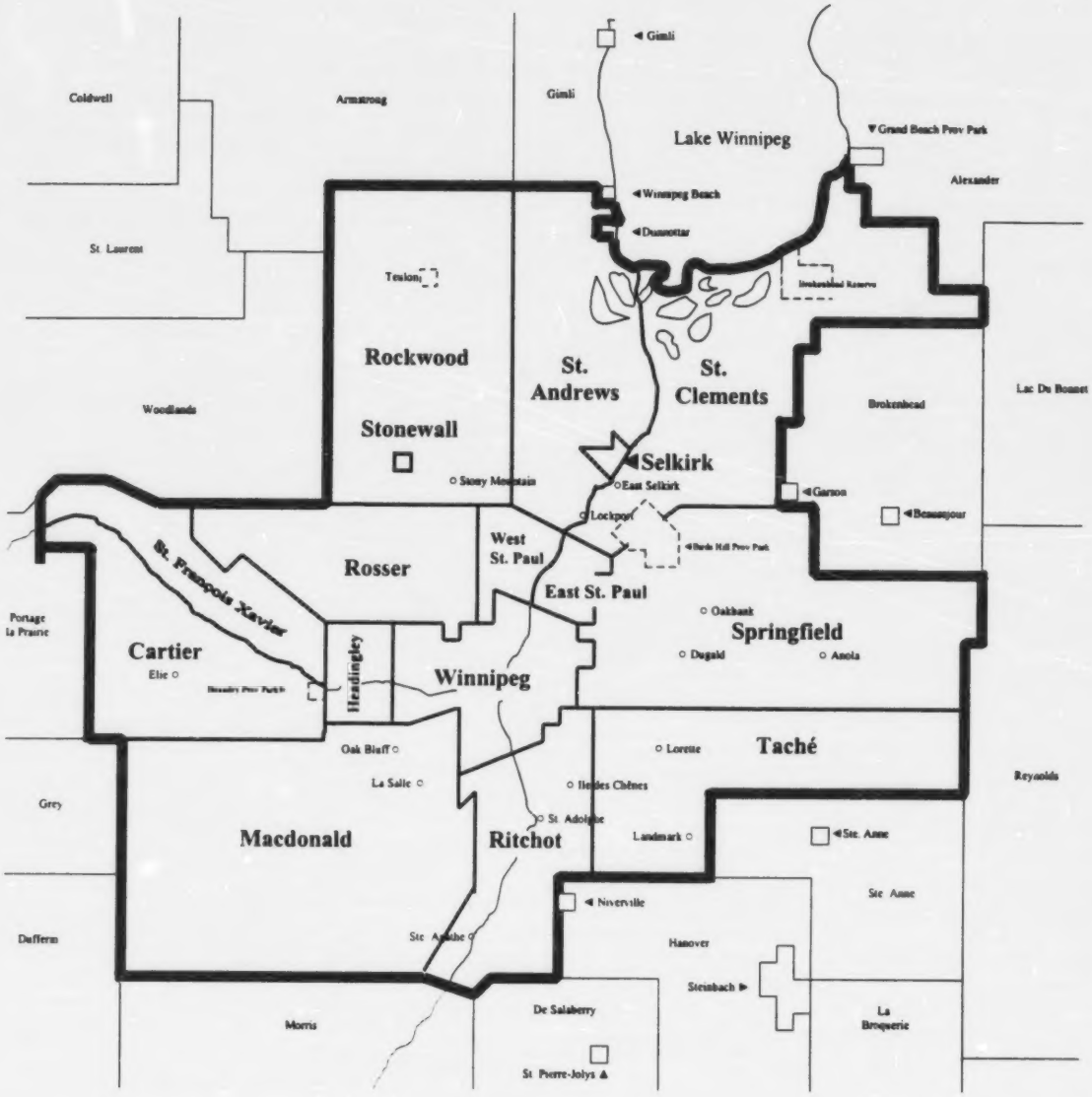
A NEW PLANNING FRAMEWORK

A NEW PLANNING FRAMEWORK


Provincial Legislation
Provincial Regulations including Provincial Land Use Policies
Capital Region Policy Plan
Municipal and Planning District Development Plans
Municipal & Planning District Secondary or Sector Plans
Municipal Zoning By-laws, Subdivision Control, Development Agreements, Building Inspection

APPENDIX B

MAP OF THE CAPITAL REGION



CAPITAL REGION

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Not to Scale

Manitoba Intergovernmental Affairs
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APPENDIX C

CAPITAL REGION PLANNING FRAMEWORK: A BRIEF HISTORICAL PERSPECTIVE

CAPITAL REGION PLANNING FRAMEWORK: A BRIEF HISTORICAL PERSPECTIVE

Pre-1870

Before 1870 the lands, rivers, lakes and forest of the Capital Region were owned, and occupied or used by several First Nations peoples, including Cree, Saulteaux, Assiniboine and Dakota.

By the early part of the 19th Century the lands along the banks of the Red and Assiniboine Rivers had been settled by English and French speaking Métis and retired fur traders and their families. Occupancy of the long river lots rested in principal upon a Treaty signed in 1817 between Lord Selkirk and several First Nations and, in practice, upon the willingness of Aboriginal people to share the resources of the country and to trade and make alliances with the newcomers.

The Europeans laid out a pattern of parishes, both Anglican and Catholic, many of whose names survive today. These parishes formed both a land use system and a system of local government. After 1870, much of the province was surveyed by the Dominion into one-mile squares known as the Township and Range System. This combination of aboriginal, fur trade and Canadian practice gave the legal and land use shape that the Capital Region reflects today.

1870 -1900

It is estimated that the population of the area, known then as the District of Assiniboia, was about 12,000 in 1870 - more than 80% of whom were Métis. Almost everyone in the area lived within a few hundred metres of the Red or Assiniboine Rivers.

The first major waves of new settlers, mainly from Eastern Canada, Europe and the United States, started arriving in the mid-to-late 1870s and continued in large numbers until the First World War. A significant settlement had established near (Upper) Fort Garry (starting at what is now the intersection of Portage Avenue and Main Street) would eventually become Winnipeg. Settlement / service nodes also began to appear at other geographic points in the area, such as: St. Boniface, Kildonan, St. Vital, St. James, Selkirk, etc.

The Provincial Government of Manitoba (as with all provinces in Canada), was given the responsibility for local / municipal government. In 1873 the Manitoba Government introduced legislation to create municipalities and to set the "rules" under which

municipalities were to conduct their affairs. The Province appointed a Municipal Commissioner to deal with municipal issues and administer *The Municipalities Act* (later known as *The Municipal Act)*. The area in and around the modern day Capital Region was divided into incorporated municipalities between 1873 and 1880.

What is now modern day Winnipeg was originally divided into four municipalities: the City of Winnipeg (incorporated 1873) and the Municipalities of Kildonan (1876), Assiniboia (1880) and St. Boniface (1880). But over time, the original three municipalities split several times, creating new municipalities, towns and villages in the area. For example, St. Boniface was incorporated as a municipality in 1880, but in 1903 the RM of St. Vital was formed out of part of it. In 1912, the RM of Fort Garry was formed out of part of St. Vital. Meanwhile, in 1883, part of St. Boniface became a town and later in 1908 it became a city. The remainder was left as the RM of St. Boniface and was eventually absorbed into the City of St. Boniface. Similar kinds of processes occurred in all three of the original RMs.

In 1875, only two years after it was incorporated, the City of Winnipeg annexed land from the neighbouring municipality of Kildonan. This process of annexation by the City occurred numerous times in subsequent decades.

With a few exceptions, the other municipalities in the Capital Region were incorporated throughout the 1880s and 1890s: Springfield 1873, Rockwood, Belcourt, the original Cartier, St. Paul's, St. Norbert, St. Andrews, St. François Xavier and Taché were all incorporated under *The Municipalities Act* of 1880. Macdonald incorporated in 1881 (partially out of the original RM of Cartier), Selkirk 1882, St. Clements 1883 (formed out of part of St. Andrews), Ritchot 1890 (out of part of St. Norbert and the original RM of Cartier), Rosser 1893 (formed out of St. François Xavier and St. Paul's), Stonewall 1906, and the new RM of Cartier 1914 (formed out of parts St François Xavier and Belcourt).

Several of these municipalities changed in area over time. For example, the RM of St. Paul's split into two municipalities, East St. Paul and West St. Paul in 1915; the RM of Taché expanded eastward taking 3 townships from the RM of Ste. Anne; St. Norbert later joined Fort Garry; Belcourt disappeared altogether, becoming parts of the new RM of Cartier and the RMs of St. François Xavier, Portage la Prairie and Grey; Macdonald expanded westward taking part of the RM of St. François Xavier; and the original RM of Cartier disappeared entirely - the current RM of Cartier was established later (1914) in its current location.

In 1877, a County system was imposed on Manitoba. The former counties in what is now the Capital Region were: Selkirk County (Winnipeg, Springfield, Town of St. Boniface, RM of St. Boniface, Assiniboia, St. Paul's and Kildonan), Marquette County (Belcourt, St. François Xavier and others), Lorette County (Taché, Ste. Anne and Hespeler) and D'Iberville County (Macdonald, Cartier, and St. Norbert). In 1886 the Province introduced the rural municipality as an administrative unit to replace Counties which had proved too large. Most municipalities in Manitoba thus became rural municipalities.

1900 - 1950

As the population of the communities within the immediate vicinity of Winnipeg grew, a number of inter-jurisdictional problems arose. As a result, various boards and commissions were set up to deal specifically with some of the matters which crossed municipal boundaries, including:

- Greater Winnipeg Water District (1913);
- Mosquito Abatement District (1927);
- Greater Winnipeg Sanitary District (1935);
- St. James-Winnipeg Airport Commission (1937);
- The Rivers and Streams Protection Authority (1940);
- Metropolitan Planning Commission (1949);
- Metropolitan Civil Defence Board (1951); and
- Greater Winnipeg Transit Commission (1953).

Municipalities, including the City of Winnipeg, originally adopted various forms of land use control under *The Municipalities Act*. However, their authority to regulate land use was not clearly defined under that Act, and their land use authority was also spread among several other Acts. In order to address the problem, the Province adopted one of the first pieces of planning legislation in Canada. The 1916 *Town Planning Act* gave municipalities (including the City of Winnipeg) clear authority to regulate land use by adopting "planning schemes" which were essentially, what we know today as zoning by-laws.

After World War II, planning studies were undertaken by the Metropolitan Planning Committee and the Winnipeg Town Planning Commission. They had agreement to work with 10 of the 12 municipalities that were later included in Metropolitan Winnipeg.

1950 - 1960

As a result of the creation of the Metropolitan Planning Commission in 1949 (and based partially on the earlier work of the Winnipeg Town Planning Commission and the Metropolitan Planning Committee), the Metropolitan Plan for Greater Winnipeg was adopted in 1950.

In 1953, the Municipal Commissioner's office was replaced by a new Provincial Government Department - Municipal Affairs. Among other things, it took on the role of implementing a unified property assessment system.

Many municipalities outside of the immediate Winnipeg area did not have the resources to undertake a local land use planning program. As a result, during the early to late 1950s, through an agreement with the Province, Winnipeg's Metropolitan Planning Commission lent its planning expertise to municipalities outside Greater Winnipeg. A number of such municipalities subsequently adopted Planning Schemes (zoning) to implement local land use control.

In 1959, the Municipal Planning Branch was created within the Department of Municipal Affairs to provide professional land use planning service to municipalities outside Greater Winnipeg. Many of the new Branch's staff came from the Metropolitan Planning Commission. Subsequently, a number of municipalities outside of Winnipeg adopted planning schemes to implement land use control in their jurisdictions.

A major study was undertaken between 1955 and 1959 by the Greater Winnipeg Investigating Commission. In its final Report, that commission recommended that a form of metropolitan government be implemented for Greater Winnipeg.

1960 - 1970

Partially in response to the Greater Winnipeg Investigating Commission report, Metropolitan Winnipeg was created by the Province under the 1961 *Metropolitan Winnipeg Act*. Under the "Metro" system, individual municipalities within Metropolitan Winnipeg maintained authority for taxing, libraries, fire services, police and a number of other matters deemed "local" under the Act; while the Metropolitan Corporation looked after and/or coordinated a number of services deemed as "regional" in nature, such as: sewer and water, arterial streets and bridges, transit, land use control (planning), assessment (but not taxes), municipal golf courses, regional parks, etc. This in effect, was a two-tier system of local government.

Metro Winnipeg included 12 municipalities (with their original incorporation dates shown in brackets):

- Charleswood (1913)
- East Kildonan (1915)
- Fort Garry (1912)
- North Kildonan (1925)
- Old Kildonan (1921)
- St. Boniface (1880)
- St. James-Assiniboia (1880)
- St. Vital (1903)
- Transcona (1912)
- Tuxedo (1913)
- West Kildonan (1915)
- Winnipeg (1873)

As a part of the 1961 Act, the Winnipeg Additional Zone was also created. This so-called "Add-Zone" gave the City of Winnipeg a form of land use control over a 5-7 mile (8-11 km) radius around Metro's north, east and south boundaries into the adjacent Rural Municipalities of: Rosser, Springfield, Taché, Ritchot and Macdonald, and including all of West St. Paul and East St. Paul.

In 1964, a new *Planning Act* was adopted by the Province replacing the 1916 Act.

In 1968, the Metropolitan Development Plan was adopted to provide long range direction for urban growth. Development Plans were still a new concept at that time, and they differed from the old planning schemes (which were essentially zoning by-laws) in that they were intended to provide medium-to-long term policy direction for land development decisions by council. In 1969, a Metro Downtown Plan was also adopted to assist in the development of downtown Winnipeg.

1970 - 1980

In 1970, the Government released a White Paper entitled "Proposals for Urban Reorganization in the Greater Winnipeg Area". To implement the recommendations of the White Paper, the Government adopted *The City of Winnipeg Act*, which came into force on January 1, 1972. As a result of that Act, the 12 municipalities making up Metropolitan Winnipeg were amalgamated into one municipal corporation under the name, the City of Winnipeg (also known as "Unicity").

At the same time, the Provincial Government created the new Department of Urban Affairs to deal with City of Winnipeg issues of Provincial interest. The Department of Municipal Affairs remained to deal with issues for the rest of the approximately 200 municipalities outside of the new City of Winnipeg's boundaries. Planning authority in Manitoba was now split: Winnipeg's planning legislation came under the new *City of Winnipeg Act*, while the rest of the municipalities in Manitoba remained under the jurisdiction of the 1964 *Planning Act*. (However, it should be noted that Winnipeg always had some separate and distinct powers under its Charter, which was also amended from time to time by successive Provincial Governments).

Beginning in 1971, a major research project was undertaken by the Department of Municipal Affairs' Municipal Planning Branch - known as "The Winnipeg Region Study". The Study area included all or parts of 30 municipalities in the Winnipeg area. By 1974, the Winnipeg Region Study Group had produced some 17 volumes of reports (many provided by private consultants) on various issues, such as: groundwater, rural residential and exurban development, soil capability, etc.

Throughout 1974-75, there were several meetings of representatives from the municipalities of the Winnipeg Region and the Provincial Government, which resulted in a 1975 document called the "Winnipeg Region Study - Land Use Policy Proposals". That document recommended 20 "Settlement Pattern Policy Statements" for the Winnipeg Region.

On January 1, 1976, a new *Planning Act* came into force and replaced the 1964 Act. It applied to all areas outside of Winnipeg. The new Act allowed for the creation of planning districts in Manitoba (that is, two or more municipalities getting together for land use planning purposes). It also provided for the adoption of Provincial Land Use Policies, the creation of the Interdepartmental Planning Board (IPB), and the adoption of a system of municipal/district development plans and zoning by-laws to replace the old planning schemes.

The new *Planning Act* also introduced the subdivision approval system currently used outside Winnipeg. Before 1976, land subdivisions not requiring a survey plan (known as subdivision by "consent") did not require any approvals. This included the majority of land divisions in Manitoba. Subdivisions which did require a "plan of subdivision" (survey plan), were approved by the Municipal Board. Under the new Act, all land divisions required approval by the Minister of Municipal Affairs. The Municipal Board became the appeal body to the Minister's decisions. The Act also allowed the Minister to delegate subdivision approving authority (by agreement) to Planning Districts with adopted Development Plans.

In 1976, the Provincial Planning Branch was created within the Department of Municipal Affairs to review development plans and subdivisions and to monitor the application of the *Provincial Land Use Policies*. During that time, 13 *Provincial Land Use Policies* were drafted based largely upon the recommendations of the 1975 Winnipeg Region Study - "Settlement Pattern Policy Statements" document). Throughout the late 1970s, these *Policies* were used by the Province as interim guidelines for the review of development plans and subdivisions.

In 1979, the Department of Municipal Affairs and the Department of Urban Affairs were merged to form the Department of Municipal and Urban Affairs. However they remained as two distinct divisions within the department until they were later split again.

During the late 1970s and into the early 1980s, three planning districts, made up of a total of 10 municipalities, formed in the Winnipeg area:

- The Selkirk and District Planning Area (formed in June of 1977), including: the Town (now City) of Selkirk, the RM of St. Andrews, the RM of St. Clements, and later the RM of West St. Paul - plan adopted 1981;
- The South Interlake Planning District (formed in February of 1979), including: the Town of Stonewall, the Village (now Town) of Teulon, the RM of Rockwood and the RM of Rosser - plan adopted 1984; and
- The Macdonald-Ritchot Planning District (formed in December of 1983) including: the RM of Macdonald and the RM of Ritchot - plan adopted 1991.

The other municipalities in the area also began to adopt and consider adopting individual development plans.

1980 - 1990

The Provincial Land Use Policies were adopted as a regulation under *The Planning Act* in November of 1980. In a revised form, they are still used by the Province to review development plans, and subdivisions in areas without plans in place. Since *The Provincial Land Use Policies* were adopted under *The Planning Act* they have not applied to the City of Winnipeg.

Beginning in the late 1970s and continuing into the 1990s, the RMs of Taché, Springfield, Cartier and later St. François Xavier, East St. Paul and Headingley adopted individual municipal development plans. This meant that all municipalities in what is now called the Capital Region had land use plans in place.

Released in 1981, "Plan Winnipeg", the City of Winnipeg Development Plan, was adopted by the City and approved by the Province in 1986, and among other things contained a limit to urban expansion. This so-called "urban limit line" was later replaced with detailed urban growth policies.

The Minister of Municipal Affairs also delegated subdivision approving authority to two Capital Region planning districts: the Selkirk and District Planning Area (1982), and the South Interlake Planning District (1988).

In 1983, the Department of Municipal and Urban Affairs was again split into two separate Departments.

Meanwhile, the Province decided to allow municipalities which formed into planning districts, to withdraw from the Winnipeg Additional Zone.

The 1986 "City of Winnipeg Act Review Committee Final Report" (also known as the "Cherniack Report") recommended among other things:

- the abolition of the remainder of the Additional Zone (enacted in 1991);
- that Plan Winnipeg be subject to: "*Provincial Land Use and Development Policies for the City of Winnipeg and the Winnipeg Region*";
- the creation of an "*Association of Winnipeg Municipalities*", perhaps including municipalities within 30 kms of Winnipeg, and possibly called the "*Winnipeg-centred District or the Manitoba Capital District*";
- the removal of Headingley from the City of Winnipeg, but stated that a plan should be adopted which would ensure it remain "*a predominantly rural environment*"; and
- the report also suggested that "*lands relatively contiguous to* [but outside] *the City that have been approved for development to a suburban standard should be incorporated within the City's boundaries.*"

The Conservation District Authority Act was adopted in 1987, replacing legislation originally adopted in the early 1970s. Under the new Act, Conservation Districts were to develop Resource Conservation Plans. The Cooks Creek Conservation District consists of much of the RM of Springfield, parts of the RMs of Taché and Ste. Anne and a small portion of the RM of Reynolds. It is the only Conservation District in the Capital Region.

In 1989, the Department of Municipal Affairs became the Department of Rural Development and took on additional roles for rural economic development. It also took on the responsibility for the Manitoba Water Services Board which provides assistance to municipalities for water and sewer systems and the Conservation Districts program.

In late 1989, the Province formed the Capital Region Committee of elected officials.

1990 - 2000

The Capital Region Committee of elected officials met for the first time in early 1990, and was made up of the Reeves and Mayors of the 13 municipalities in the Winnipeg area along with the Provincial Ministers of Urban Affairs, Rural Development (formerly Municipal Affairs) and Environment. Later, the Town of Selkirk, the RM of Rockwood and the newly created RM of Headingley joined the group, to bring the total number of municipalities in the region to 16. The municipalities included in the Capital Region are:

- Cartier, RM [later decided to withdraw]
- East St. Paul, RM
- Headingley, RM [joined later]
- Macdonald, RM
- Ritchot, RM
- Rockwood, RM
- Rosser, RM
- St. Andrews, RM
- St. Clements, RM
- St. François Xavier, RM
- Selkirk, Town [now City]
- Springfield, RM
- Stonewall, Town
- Taché, RM
- West St. Paul, RM
- Winnipeg, City

The Capital Region Committee of elected officials met two or three times a year throughout the 1990's to discuss issues of mutual concern.

In 1991, the Province eliminated the remainder of the Additional Zone. In 1992, after a special Study and Report was produced, the new RM of Headingley was created out of most of that part of Winnipeg west of the Perimeter Highway. This was also one of the recommendations in the Cherniack Report.

Throughout the late 1980s and early 1990s, the Province reviewed the *Provincial Land Use Policies* and amended them in 1994. Part of the revisions involved the incorporation of the *Sustainable Development Principles and Guidelines.*

In 1994, Winnipeg's CentrePlan was developed with the intent of providing a long-term downtown planning and consultative process.

In May 1996, the Province of Manitoba released the Capital Region Strategy. Developed in partnership with the public, the region's 16 municipalities and the Manitoba Round Table on the Environment and Economy, this Strategy identified five policy areas (Partnerships, Settlement, Economy, Environment and Resources, and Human Resources), 30 policies, and 200 actions to guide regional decision-making. It was prepared as part of Manitoba's overall Provincial Sustainable Development Strategy. But while it was adopted in principle by the Province, the Strategy was not implemented in any significant way or formal way.

COSDI, the Consultation on Sustainable Development Implementation, was launched in 1997 as a multi-stakeholder consultation initiative, *"to consider and make recommendations to government on how Manitoba can best implement Sustainable Development Principles and Guidelines into decision-making, including environmental management, licensing, land use planning, and regulatory processes"*. Among other things, COSDI recommended that the Province undertake "large area planning" based on natural watershed boundaries and that regional planning advisory committees of stakeholders be established to facilitate the regional planning process. The Province of Manitoba adopted in principle, the COSDI Recommendations in late 1999.

After years of planning and consultation, in 1998 the Province adopted *The Sustainable Development Act*. This Act was an attempt to implement in government activities, the principles of sustainable development as set out in the UN Brundtland Commission's Report "*Our Common Future*", 1987.

In June 1998, the Manitoba Government agreed to a recommendation of the Capital Region Committee of elected officials to establish an independent panel to seek community and municipal input and *"to undertake a review and make recommendations to the government respecting the effectiveness of the existing legislative, policy and procedural framework guiding land use planning and development, and the provision of services in the municipalities in the Capital Region"*. The Capital Region Review Panel delivered its Final Report in December 1999.

The Capital Region Review Panel reported on several shortcomings in the effectiveness of the existing legislative, policy and procedural framework guiding land use planning and development, and the provision of services among Capital Region municipalities. The Panel's main recommendation concluded that the solution to the region's problems largely lay in enacting a statute which would allow municipalities to join together to solve problems. The Panel's view was that such an association should be voluntary and the Province of Manitoba should play mainly a supportive role. It also made four other recommendations related to: statutory consistency, Provincial departmental organization and administration, service-based budgeting and full cost accounting, and municipal costs and revenues.

Legislation governing municipalities in Manitoba, including *The Municipal Act*, *The City of Winnipeg Act* and *The Planning Act* among others, have been reviewed and amended numerous times over the years to reflect matters of interest and concern at the time. As well, the development plans for the districts and municipalities within the Capital Region have been reviewed and amended a number of times.

In late 1999, the Provincial Government re-combined the departments of Rural Development and Urban Affairs under the new name: Intergovernmental Affairs. This time, unlike the merger that took place in 1979, the two departments were totally integrated. In early 2000, a Community and Land Use Planning Services Division was created in the new department which combined and enhanced the planning functions of the department.